

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

International Application No. : PCT/EP2003/010404
 International Filing Date : September 18, 2003
 Priority Date(s) Claimed : September 18, 2002
 Applicant(s) (DO/EO/US) : Thorsten HEINZEL et al.

Title: THE USE OF MOLECULAR MARKERS FOR THE PRECLINICAL AND
 CLINICAL PROFILING OF INHIBITORS OF ENZYMES HAVING HISTONE
 DEACETYLASE ACTIVITY

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

- ☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
 - ☐ within three months of the actual filing date of the national phase of a PCT application; OR
 - ☒ before the mailing of a first substantive office action (including after filing of an RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- a final rejection under 37 C.F.R. 1.113;
 - termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
 - a notice of allowance under 37 C.F.R. § 1.311; and

is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
- ☐ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
- ☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:
 - ☐ a final action under 37 C.F.R. § 1.113;
 - ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);
 - ☐ OR a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

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- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. _____, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☒ Copies of materials listed but not attached were cited in an international search report dated February 20, 2003.
- ☐ Not required by 37 CFR § 1.98.
- ☐ Copies of the materials listed are attached (except for the foregoing).

Non-English Language References

☒ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).

☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:

X = document of particular relevance when it is taken alone

Y = document of particular relevance when it is combined with another such document

A = document defining the general state of the art

O = non-written disclosure

P = intercalated document

T = document cited to understand the theory or principle underlying the invention

E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date

D = cited in the application

L = cited for another reason

& = publication of member of same patent family

☐ Translation of other relevant information on foreign search report

[insert necessary translation here]

Other Information


Payment of Fees Due (If Any):

☐ A check for \$_____ covering the fee identified above is attached.

☐ Please charge to Deposit Account No. 13-3402 \$_____ for the fee identified above.

☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



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Attorney Docket No.: LEDER-15

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STATEMENT BY APPLICANT**

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Sheet 2 of 2

Complete if Known

Application Number	Unassigned
Filing Date	March 16, 2005
First Named Inventor	Thorsten HEINZEL et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	LEDER-15

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	4	SU G H et al: "A NOVEL HISTONE DEACETYLASE INHIBITOR IDENTIFIED BY HIGH-THROUGHPUTTRANSCRIPTIONAL SCREENING OF A COMPOUND LIBRARY" CANCER RESEARCH, AMERICAN ASSOCIATION FO RCANCER REASEARCH, BALTIMORE, MD, US vol. 60, no. 12, 15 June 2000 pages 3137-3142, XP000985980	
	5	KWON H J et al: "A HISTONE DEACETYLASE INHIBITOR, TRICHOSTATIN A , INDUCES APOPTOSIS THROUGH SUPPRESSION OF ANTI-APOPTOTIC FACTORS, C-IAP-1 AND C-IAP-2 IN HUMAN PROTSTATE EPITHELIAL CELLS" PROCEEDINGS OF THE ANNUAL MEETING OF THE AMERICAN ASSOCIATION FOR CANCER RESEARCH, NEW YORK, NY, US vol. 40, March 1999, pages 581 XP002180771	
	6	SCHMIDT K ET AL: "INHIBITORS OF HISTONE DEACETYLASE SUPPRESS THE GROWTH OF MCF-7 BREAST CANCER CELLS" ARCHIV DER PHARMAZIE, VCH VERLAGSGESELLSCHAFT MBH, WEINHEIM, DE vol. 332, no. 10, 1999, pages 353-357, XP000985303	
	7	WARELL R P ET AL: "THERAPEUTIC TARGETING OF TRANSCRIPTION IN ACUTE PROMYELOCYTIC LEUKEMIA BY USE OF AN INHIBITOR OF HISTON DEACETYLASE" JOURNAL OF THE NATIONAL CANCER INSTITUTE, US DEPT, OF HEALTH, EDICATION AND WELFARE, PUBLIC HEALTH, US, vol. 90, no. 21, November 1998 pages 1621-1625, XP002928827	
	8	JUNG M: "INHIBITORS OF HISTONE DEACETYLASE AS NEW ANTICANCER AGENTS" CURRENT MEDICINAL CHEMISTRY, BENTHAM SCIENCE PUBLISHERS BV, BE vol. 8, 2001, pages 1505-1511, XP001098704	
	9	GREENBERG V L ET AL: "HISTONE DEACETYLASE INHIBITORS PROMOTE APOPTOSIS AND DIFFERENTIAL CELL CYCLE ARREST IN ANAPLASTIC THYROID CANCER CELLS" THYROID, MARY ANN LIEBERT, NEW YORK, NY, US, vol. 11, no. 4 April 2001 pages 315-325, XP009003316	
	10	"SMALL MOLECULE INHIBITORS OF HISTONE DEACETYLASE" EXPERT OPINION ON THERAPEUTIC PATENTS, ASHLEY PUBLICATIONS, GB, vol. 12, no. 6, 2002, pages 943-947, XP001120539	

Examiner
SignatureDate
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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